

REMARKS

The Office Action dated May 26, 2004 has been received and carefully studied.

The Examiner rejects claims 1-4 and 11 under 35 U.S.C. §102(b) as being anticipated by Mathus, U.S. Patent No. 5,972,694. The Examiner states that Mathus discloses a device having a surface comprising multiple spatially discrete regions having utilitarian discontinuities 26, 28 having different functionalities (26 are filter wells, 28 are access ports).

By the accompanying amendment, claim 1 has been amended to recite that the device includes a base supporting the multiple spatially discrete regions, and that at least one of the discrete regions is removable from the base. Claim 6, rendered redundant by the amendment, has been cancelled.

Mathus discloses a multi-well cluster plate having a plurality of wells and a plurality of access ports, wherein each access port is associated with a respective well in order to provide direct access to the lower chamber of the corresponding well, such as with a pipette. None of the spatially discrete regions of Mathus are separately removable as is now recited in amended claim 1, nor would there be any reason or motivation to modify Mathus to have the wells separately removable with respect to the access ports (or vice versa).

The Examiner also rejects claims 1-2 and 9-13 under 35 U.S.C. §102(e) as being unpatentable over Nguyen et al., U.S.

2003/0108453. The Examiner states that Nguyen discloses a plate with different regions and sub-regions with different functionality.

Nguyen et al. disclose a single block for performing maintenance, calibration and validation of automated high-throughput assay instrumentation. Software controls the various functions performed on the block. Like Mathus, Nguyen et al. do not disclose or suggest the separate removability of one spatially discrete region with respect to another.


The Examiner rejects claims 1-4, 6-8 and 11 under 35 U.S.C. §102(b) as being anticipated by Clark, U.S. Patent No. 5,141,718, and claim 5 under 35 U.S.C. §103(a) as being unpatentable over Clark. The Examiner states that Clark teaches a device 10 having a surface comprising multiple spatially discrete regions having wells 14 and access area 16, the regions having strips 42 and triangles 16.

Clark does not disclose or suggest a base supporting multiple discrete regions wherein at least one of the discrete regions is removable from the base.

The remaining prior art is believed to have been properly not relied upon in rejecting any claim.

Reconsideration and allowance are respectfully requested in view of the foregoing.

Respectfully submitted,


Kevin S. Lemack
Reg. No. 32,579
176 E. Main Street - Suite 7
Westboro, Massachusetts 01581
TEL: (508)898-1818